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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/622,548

07/21/2003

Chung Yung Tsai

TSAI3082/EM

3898

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02/04/2005

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EXAMINER

STERRETT, JEFFREY L

ART UNIT

PAPER NUMBER

2838

DATE MAILED: 02/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/622,548	Applicant(s) TSAI, CHUNG YUNG	
	Examiner Jeffrey L. Sterrett	Art Unit 2838	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL.      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

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1. Receipt is acknowledged of the foreign priority papers submitted under 35 U.S.C. 119(a)-(d), which foreign priority papers have been placed of record in the file.
2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims.

Therefore, the control signal input unit comprising either a touch panel or a set of keys and a radio frequency module as recited by claim 5 must be clearly shown or the feature canceled from the claim.

Therefore, the signal detection unit comprising a zero crossing detector as recited by claim 6 must be clearly shown or the feature canceled from the claim.

Therefore, the control device further comprising a plurality of LED's as recited by claim 7 must be clearly shown or the feature canceled from the claim.

Therefore, the AC switching unit comprising a TRIAC as recited by claim 8 must be clearly shown or the feature canceled from the claim.

Therefore, the AC load comprising either a resistive load or an inductive load as recited by claim 10 must be clearly shown or the feature canceled from the claim.

Therefore, the AC load comprising a single phase AC motor, fan, hairdryer, electric heater, or an incandescent lamp as recited by claim 11 must be clearly shown or the feature canceled from the claim.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure

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number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance. No new matter should be entered.

3. Claims 1-11 are objected to because of the following informalities.

Claims 1-11 are vague and indefinite since in line 12 "the AC load" lacks proper antecedent basis.

Claim 5 is vague and indefinite since in lines 1- 2 "the control signal input unit" lacks proper antecedent basis.

Appropriate correction is required.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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5. Claims 1-4, 6, and 8-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Sherman (US 4,287,468).

Sherman discloses a digitally modulated power control device comprising an input unit for inputting an AC voltage signal (POWER SUPPLY) and a control signal (27), a signal detection unit (10) detecting the zero crossings of the AC input voltage signal and generating a first trigger signal (13A), a control unit (5) receiving the control signal and the first trigger signal in order to generate a second trigger signal (15), and an output unit having TRIAC (18) as an AC switching unit receiving the second trigger signal in order to adjust the AC voltage output to a resistive load/incandescent lamp (LOAD).

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sherman in view of Kersten et al (US 4,871,961).

Sherman discloses a digitally modulated power control device as explained above and as recited by claim 5 except for utilizing a touch panel as the control signal input unit. Kersten et al discloses as old and known in the art at the time of the invention a modulated power control device utilizing a touch panel (2) as the control signal input unit. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified the digitally modulated power control device of Sherman by

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utilizing a touch panel as the control signal input unit as taught by Kersten in order to allow for numerical input by the user.

8. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sherman in view of Trainor et al (US 5,844,550).

Sherman discloses a digitally modulated power control device as explained above and as recited by claim 7 except for utilizing a plurality of LED's for displaying a control status of the control unit. Trainor et al discloses as old and known in the art at the time of the invention a modulated power control device utilizing a plurality of LED's (see figure 2) for displaying a control status of the control unit. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified the digitally modulated power control device of Sherman by utilizing a plurality of LED's for displaying a control status of the control unit as taught by Trainor in order to allow for visual output to the user.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Billings (US 3,979,652), Beck (US 3,958,172), Foster (US 4,146,830), Jurek (US 4,254,466), Murakimi (US 4,311,955), Bromberg (US 5,045,774), and Barrett (US 5,483,149) are cited to show modulated power control devices old and known in the art at the time of the invention.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey L. Sterrett whose telephone number is (571)

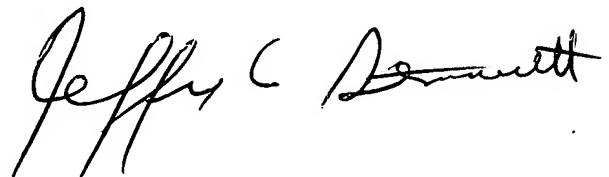
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272-2085. The examiner can normally be reached on Monday-Thursday & 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Sherry can be reached on (571) 272-2084. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jeffrey L. Sterrett  
Primary Examiner  
Art Unit 2838

A handwritten signature in black ink, appearing to read "Jeffrey L. Sterrett", written in a cursive style.